

TOWN OF HOPEDALE – ANNUAL TOWN MEETING WARRANT

Tuesday, May 16th, 2006 at 7:00 o'clock in the evening
in the Dennett Auditorium of the Junior/Senior High School

Worcester SS: To the Constables in the Town of Hopedale in the County of Worcester.
Greetings: In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Hopedale qualified to vote in town affairs to meet in the Dennett Auditorium of the Junior/Senior High School on Tuesday, May 16th, 2006, at 7:00 o'clock in the evening then and there to act on the following articles:

ARTICLE 1: To see if the Town will vote to hear and act upon the report of the Selectmen and other offices, departments, or committees of said town, or take any other action related thereto.

Submitted by: Board of Selectmen

ARTICLE 2: To see if the Town will vote, pursuant to M.G.L. c.41, §108 to fix the annual salary and compensation for each elected Town officer and further to see if the Town will vote to fix the annual compensation for special appointed officials for his/her service in fiscal year 2007, or take any other action related thereto.

Town Moderator (1)	\$ 200
Board of Selectmen (3)	\$ 6,500
Town Clerk (1)*	\$30,867
Road Commissioners (3)	\$ 2,200
Board of Health (3)	\$ 1,850
Park Commissioners (3)	\$ 1,600
Water/Sewer Commissioners (3)	\$ 2,200
Tree Warden (1)	\$ 1,000
Planning Board (5)	\$ 3,700
Board of Assessors (3)	\$ 4,100
Board of Registrars (3) appt.	\$ 1,600
Clerk to Registrars (1)	\$ 500
Zoning Board of Appeals (5) appt.	\$ 1,300
Finance Committee (9) appt.	\$ 950
School Committee (5)	\$ 5,500
Conservation Committee (5)	\$ 2,600

*Town Clerk is paid weekly; all others twice per year

Submitted by: Board of Selectmen

ARTICLE 3: To see if the Town will vote to authorize the Board of Selectmen to sell at public or private sale or auction, for such price as they consider equitable, and upon such terms and conditions as they deem necessary, parcels of vacant land presently owned by the town by reason of the foreclosure of tax titles thereon and to execute, acknowledge and deliver a proper deed or deeds. The total area of land sold to any one person shall not exceed two acres. A record of all sales giving the names and addresses of the Purchasers, the area and location of the land sold and the price sold therefore shall be kept by the Selectmen and shall be available for public inspection at all reasonable times, authority therefore to expire June 30, 2007 or take any other action related thereto.

Submitted by: Board of Selectmen

ARTICLE 4: To see if the Town will vote to raise and appropriate through assessments provided under M.G.L. c. 83, §16, and to be collected under M.G.L. c. 44, §53E bond issue payments of \$72,494 for the Sewer Department or take any other action related thereto.

Submitted by: Water and Sewer Commissioners

ARTICLE 5: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of monies into and/or out of the Stabilization Fund as provided under M.G.L. c. 40, §5B, or take any other action related thereto.

Submitted by: Finance Committee

ARTICLE 6: To see if the Town of Hopedale will vote to raise and appropriate, transfer from available funds, or borrow, to fund sick time buy back in the amount of \$40,000 as a contractual obligation in the Police Chiefs contract expiring June 30, 2007, or take any other action relative thereto.

Submitted by: Board of Selectmen

ARTICLE 7: To see if the Town will vote to authorize the continued use of a revolving fund pursuant to M.G.L. c. 44, §53E1/2 for the purpose of funding a hazardous waste collection day and recycling program to include composting and yard waste and other related costs, which fund shall be credited with receipts from the Board of Health to be expended under the authority of the Board of Health, such expenditures not to exceed \$30,000.00 for the fiscal year 2007; or take any other action related thereto.

Submitted by: Board of Health

ARTICLE 8: To see if the Town will vote to authorize the continued use of a revolving fund pursuant to M.G.L. c. 44, §53E1/2 for the purpose of funding the operating costs of the animal control division of the Hopedale Board of Health, which fund will be credited with receipts for the boarding of stray animals, fines for violations, and the licensing of animals, to be expended under the authority of the Board of Health, such expenditures not to exceed \$15,000.00 for the fiscal year 2007; or take any other action related thereto.

Submitted by: Board of Health

ARTICLE 9: To see if the Town will vote to authorize the Conservation Commission to spend without further appropriation in accordance with M.G.L. c. 131, §40 certain sums as received in filing fees from prior fiscal years, for the fiscal year 2007, or take any other action related thereto.

Submitted by: Conservation Commission

ARTICLE 10: To see if the Town will vote to authorize the Treasurer to borrow up to the sum of \$97,750 in anticipation of Chapter 90 State reimbursement funds for the purpose of providing road paving/improvement projects, or take any other action related thereto.

Submitted by: Road Commissioners

ARTICLE 11: To see if the Town will vote, pursuant to Town Bylaw, Chapter XXII-B, The Personnel Administration Bylaw, to adjust the percentage applicable to the compensation plan, or take any other action related thereto.

Submitted by: Personnel Committee

ARTICLE 12: To see if the Town will vote to raise and appropriate, borrow, or transfer from available Treasury funds, such sums of money as deemed necessary to defray Town charges for fiscal Year 2007 as contained in the Finance Committee Budget Report, or take any other action related thereto.

Submitted by: Finance Committee

ARTICLE 13: To see if the Town will vote to authorize the Water Department Budget to be funded by offset receipts as follows, Salaries \$157,050, Expenses \$335,216, Debt \$85,803 including Long Term Principle \$48,790, Long Term Interest \$18,113 and BAN \$18,900, or take any other action related thereto.

Submitted by: Water and Sewer Commissioners

ARTICLE 14: To see if the Town will vote to authorize the Sewer Department Budget to be funded by offset receipts as follows, Salaries \$202,600, Expenses \$383,796, Debt \$6,000 for Sewer Bond Interest, or take any other action related thereto.

Submitted by: Water and Sewer Commissioners

ARTICLE 15: To see if the Town will vote to authorize the Ambulance Department Budget to be funded by offset receipts as follows, Salaries \$101,864, Expenses \$34,700, or take any other action related thereto.

Submitted by: Board of Selectmen

ARTICLE 16: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of \$1321.57 to pay the Town's annual assessment of costs and expenses of the Central Massachusetts Regional Planning Commission District, or take any other action relative thereto.

Submitted by: Board of Selectmen

ARTICLE 17: To see if the town will vote to authorize the Selectmen jointly with the Council on Aging to appoint a Senior Center Study Committee of seven individuals to conduct a feasibility study and present a final report to outline the towns needs for a Senior Center, with the final report completed no later than January 1, 2007, or take any other action related thereto.

Submitted by: Council on Aging

ARTICLE 18: To see if the Town will vote to raise and appropriate, or transfer from available funds, \$48,286 (\$45,495.40 principal and \$2,790.60 interest) to make the final of a three year lease to purchase payment to All American Investment Group, LLC., 730 17th Street, Denver, CO 80202, or take any other action in relation thereof.

Submitted by: Board of Road Commissioners

ARTICLE 19: To see if the Town will authorize the Board of Selectmen to acquire, by gift, purchase, or eminent domain, for general municipal purposes, including the purpose of reconstructing the Mill Street Bridge, the fee and drainage easements and/or temporary construction easements in portions of the following parcels of land: (a) land now or formerly owned by Amy Jean Burns and Robert Burns, and described in a deed recorded with the Worcester South District Registry of Deeds in Book 13006, Page 96, (b) land now or formerly owned by M.C. Machine Company, and described in deeds recorded with said Deeds in Book 15928, Page 167 and in Book 15928, Page 164; and (c) land owned by owners unknown, located on Mill Street, all of which portions are shown on a plan entitled "Plan of Land in the Town of Hopedale, Massachusetts, Showing Takings for Highway Purposes," dated March 31, 2006, prepared by Parsons, on file with the Town Clerk; and, further to see if the Town will vote to raise, appropriate, transfer from available funds, or borrow a sum of money for this purpose and any expenses related thereto and to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out this acquisition, or take any other action relative thereto.

Submitted by: Board of Selectmen

ARTICLE 20: To see if the Town will vote to amend the vote taken under Article 20 of the April 12, 2005 Town Meeting authorizing the acquisition of property currently owned by Louis J. Noferi (the "Seller"), shown as parcel 11-74-2 on the Hopedale Assessors map, and being a portion of the premises described in a deed recorded with the Worcester South District Registry of Deeds in Book 4982, Page 106, by further authorizing the Selectmen to grant a mortgage on said property to secure the Town's obligations under a promissory note to be granted by the Town to the Seller, and to enter into any and all agreements, take all actions, and execute all instruments and documents necessary to accomplish the foregoing acquisition, or to take any action relative thereto, and further to vote to authorize the Board of Selectmen to petition the General Court, if necessary, to enact legislation to authorize the grant of said mortgage, provided that the General Court may make any clerical or editorial changes of form only to the bill submitted by the Board of Selectmen, and such other amendments to the bill submitted, as the Board of Selectmen may approve before enactment by the General Court; and further, to authorize the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of this petition, or to take any other action relative thereto.

Submitted by: Board of Selectmen

ARTICLE 21: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$167,973 for the Town's net operating and capital assessment for the Blackstone Valley Vocational Regional High School, which is inclusive of \$14,813 for the debt service associated with Hopedale's previously (2001) voted amount for the districts addition/renovation project, or take any other action in relation thereto.

Submitted by: Blackstone Valley Vocational Regional School District

ARTICLE 22: To see if the Town will vote to authorize the use of a revolving fund pursuant to M.G.L. c. 44, §53E1/2 for the purpose of funding and operating the Hopedale Cable Advisory Board and other related costs, which fund shall be credited solely with receipts from Comcast pursuant to Sections 5.2(a) and 5.2(b) of the renewal license dated January 9, 1999 to be expended under the authority of the Hopedale Cable Advisory Committee, such expenditures not to exceed \$100,000 for the fiscal year 2007; or take any other action related thereto.

Submitted by: Cable advisory Committee

ARTICLE 23: To see if the Town of Hopedale will, in accordance with M.G.L. c. 40, § 4A, authorize the Board of Health; Health Agent to enter into an intermunicipal agreement with one or more other governmental units to provide public health services which the Board of Health is authorized to perform, in accordance with an Intermunicipal Mutual Aid Agreement to be entered into between the Town and various governmental units, or take any other action relative thereto.

Submitted by: Board of Health

ARTICLE 24: To see if the Town will vote to increase the availability of tax exemptions to senior citizens owning real property pursuant to General Laws Chapter 59, Section 5, Clause 41C, as authorized under Section 51 of Chapter 184 of the Acts of 2002 of the General Court, by approving the following for any fiscal year beginning on or after July 1, 2006:

1. Reducing the age of eligibility, currently set at 70 years, to 65 years;
2. Increasing the value of the tax exemption, currently \$4,440 in valuation or \$555, whichever is greater, to \$4,587 in valuation or \$575, whichever is greater;

Or take any other action related thereto.

Submitted by: Board of Assessors

ARTICLE 25: To see if the town of Hopedale will increase the maximum qualifying gross receipts amount that seniors may have in the prior calendar year to be eligible to defer property taxes under G.L. c. 59, Section 5, Clause 41A from \$20,000 to \$30,000 with such increase to be effective for deferrals granted for taxes assessed for any fiscal year beginning on or after July 1, 2006, or take any other action related thereto.

Submitted by: Board of Assessors

ARTICLE 26: To see if the Town of Hopedale will reduce the rate of interest that accrues on property taxes deferred by eligible seniors under M.G.L. c. 59 §5, Clause 41A from 8% to 5%, with such reduced rate to apply to taxes assessed for any fiscal year beginning on or after July 1, 2006, or take any other action relative thereto.

Submitted by: Board of Assessors

ARTICLE 27: To see if the town will vote to amend Chapter 349 of the Hopedale Bylaws by adopting a new section as follows, or take any other action in relation thereto:

No vehicle over 10,001 Lbs, Gross Vehicle Weight Rated (GVWR), or measuring (8) eight feet, or more, in width or measuring 20 feet, or more, in length, including a trailer and power unit attached together, shall be parked on a public way, or a way to which the public has a right of travel, if such vehicle fills more than one third the width of the available roadway if parking is allowed on both sides of the street or one half the width of the available roadway if parking is allowed on one side only, or if such vehicle obstructs the travel of emergency vehicles, for more than two hours unless being actively loaded, unloaded or materials or equipment are being actively used from said vehicle or trailer. No owner and/or driver of any vehicle described in this section shall leave such vehicle on a public way, or a way to which the public has a right of travel, unless said owner and/or driver remains at all times readily available and capable of moving such vehicle if necessary. Said vehicles shall be locked and chock blocks shall be placed in front, and at the rear, of the set of rear wheels furthest away from the curb. The steering wheels shall be turned toward the curb to prevent the vehicle from rolling. The emergency brake must be set and the keys removed from the ignition unless the vehicle is equipped with such devices that the engine or ignition is necessary to run said equipment.

First time offenders will be advised of said by-law via a verbal or written warning, which is kept in record by the Hopedale Police. Subsequent violations will be subject to a \$50 fine per offense.

Submitted by: Police department

ARTICLE 28: To see if the town will vote to add Chapter 285 of the Hopedale Bylaws by adopting a section as follows, or take any other action in relation thereto:

It shall be unlawful for any person, persons or company to create, assist in creating, continue or allow to continue an excessive, unnecessary, unreasonable or unusually loud or objectionable noise which annoys, disturbs, injures or endangers the reasonable quiet, comfort, repose, health or safety of anyone within the Town of Hopedale. The following are examples, but not conclusive, of loud, disturbing, injurious, unnecessary and unlawful noise, in violation of this section of the Town of Hopedale By-Laws.

Submitted by: Police department

ARTICLE 29: To see if the Town will vote to authorize the Board of Selectmen to enter into a contract for a period to exceed three years for the purpose of assigning, transferring or otherwise disposing of the Town's interest in leases for operation of telecommunications facilities on Town-owned property between the Town and T-Mobil and the Town and Cingular to a third party pursuant to a bid process undertaken in accordance with the provisions of M.G.L. c.30B and/or any other applicable general or special law; or take any other action relative thereto.

Submitted by: Board of Selectmen

ARTICLE 30: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation in the form set forth below; and provided further that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and that the Board of Selectmen is authorized to approve amendments which shall be in the scope of the public objectives of the petition.

AN ACT EXEMPTING MEMBERS OF THE FIRE DEPARTMENT IN THE TOWN OF HOPEDALE FROM THE CIVIL SERVICE LAW.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1:Notwithstanding the provisions of Chapter 156 of the Acts of 2000, or any other general or special law or act to the contrary, the position of regular or permanent members of the Fire Department, including intermittent Call Firefighters and Fire Chief, in the Town of Hopedale shall hereafter be exempt from Chapter 31 of the General Laws.

SECTION 2:Section 1 shall not impair the civil service status of the persons serving as employees on the Fire Department in the Town of Hopedale on the effective date of this act.

SECTION 3:This act shall take effect upon its passage.

Submitted by: Board of Selectmen

ARTICLE 31: To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain, upon such terms and conditions as the Board determines, for Highway Department expansion purposes, the fee simple interest or less in land currently owned by The Grafton & Upton Railroad, said land shown as parcel 11-63-0 on the Hopedale Assessors Map Number 11, being a portion of the premises as described in a deed recorded in the Worcester Registry of Deeds in Book 4752 Page 506, said land being located off Depot Street in the Town of Hopedale, and consisting of 63,598 square feet of land more or less and, further to see if the Town will vote to raise, appropriate, transfer from available funds, accept gifts or borrow a sum of money for this purpose and any expenses related thereto and to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out this acquisition, or take any other action relative thereto.

Submitted by: Board of Selectmen

ARTICLE 32: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow \$5,000 to design and build a steel gate at the South Hopedale Cemetery, or take any other action thereto.

Submitted by: Cemetery Trustees

ARTICLE 33: To see if the Town will vote to transfer from the Water Enterprise Account to the Capital Projects line the sum of \$100,000 to clean the Steele Road Water Tank, purchase 200 Radio Read meters, replace the Driftway Water Main and develop a new water source, or take any other action related thereto.

Submitted by: Water & Sewer Commissioners

ARTICLE 34: To see if the Town will vote to transfer from the Sewer Enterprise Account to the Capital Projects line the sum of \$60,000 to offset a portion of the replacement of approximately 300 feet of Dutcher Street sewer main, purchase a new truck and sand blast and paint #2 Primary Tank at the Wastewater Treatment Plant, or take any other action related thereto.

Submitted by: Water & Sewer Commissioners

ARTICLE 35: To see if the Town will vote to authorize the use of a revolving fund pursuant to M.G.L. c. 44, §53E1/2 for the purpose of funding expenses associated with the maintenance and replacement of the Public copier located in the Library, which fund shall be credited with receipts from use of the copier and to be expended under the authority of the Board of Library Trustees, such expenditures not to exceed \$5000.00 for the fiscal year 2007; or take any other action related thereto.

Submitted by: Library Trustees

ARTICLE 36: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow up to \$580,000 to allow the Selectmen to purchase a ladder truck for use by the Fire Department, or take any other action in relation thereof.

Submitted by: Board of Selectmen

You are hereby directed to serve this Warrant by posting attested copies thereof at the three public places in different parts of the Town not less than seven days before the holding of said meeting. Hereof fail not to make the due return of the meeting aforesaid.

Given under our hands this 8th day of May 2006.

HOPEDALE BOARD OF SELECTMEN

Michael E. Collins

Alan J. Ryan

Louis J. Arcudi III
Chairman

A True Copy, ATTEST:
Posted in the Town Hall, Community House, and Post Office Lobby.

Constable

Date